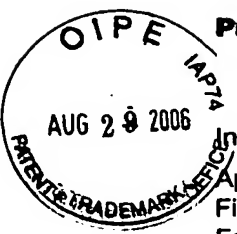


DFW



Practitioner's Docket No. MSU 4.1-655

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: D.K. Reinhard, J. Asmussen, M.F. Becker, T.A. Grotjohn,  
T. Schuelke and R. Booth  
Application No.: 10/698,921 Group No.: 1762  
Filed: 10/31/2003 Examiner:

For: DRAPABLE DIAMOND THIN FILMS AND METHOD FOR THE PREPARATION THEREOF

Date of mailing of PTOL 85 entitled "Notice of Allowance  
and Base Issue Fee Due" 5/25/06

Issue Batch No. \_\_\_\_\_

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL OF NEW DRAWING(S) TO CORRECT INFORMALITIES  
WITHIN THREE MONTH PERIOD OF RESPONSE SET  
IN NOTICE OF ALLOWABILITY (P.T.O.L. 37)**

*NOTE: Filing by facsimile is not permitted for drawings "submitted under 37 CFR 1.81, 1.83 1.85, 1.152, 1.165, or 1.437 except when submitted with the issue fee." (Under 37 CFR 1.6(d)(4), drawings submitted under 37 CFR 1.81, 1.83 1.85, 1.152, 1.165, or 1.437 may not be filed by facsimile transmission in patent applications. However, the Office has waived the prohibition in 37 CFR 1.6(d)(4) against the submission of drawings by facsimile when drawings are facsimile transmitted with the issue fee. See Payment of the Issue Fee and Filing Related Correspondence by Facsimile, 1254 Off. Gaz. Pat. Office (January 15,*

**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***  
(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

☒ deposited with the United States Postal Service in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

**37 C.F.R. § 1.8(a)**

**37 C.F.R. § 1.10 \***

☒ with sufficient postage as first class mail.

☐ as "Express Mail Post Office to Addressee"

Mailing Label No. \_\_\_\_\_ (mandatory)

**TRANSMISSION**

☐ facsimile transmitted to the Patent and Trademark Office, (571) 273-8300.

Tammi L. Taylor

Signature

Date: 8/23/06

Tammi L. Taylor

(type or print name of person certifying)

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

(Transmittal of New Drawing(s) to Correct Informalities Within Three Month Period of Response  
Set in Notice of Allowability (PTOL 37) [5-2.1]—page 1 of 3)

2002). Applicants are reminded that the facsimile process may reduce the quality of the drawings, and the Office will generally print the drawings as received. MPEP, § 502.01(II)(C), 8th Edition, Rev. 2. See also "Updated Lists of Exceptions to the Centralized Delivery and Facsimile Transmission Policy for Patent Related Correspondence," September 19, 2005; 1299 OG 98, October 18, 2005, Exceptions for Certain Facsimile Transmitted Correspondence, item 2.

**NOTE:** The Office has authorized the payment of any required publication fee by authorization to charge a deposit account or credit card, and drawings: 703-746-4000 facsimile number. The Office notes that although the submission of drawings by facsimile may reduce the quality of drawings, the Office will generally print the drawings as received. See "New Patents Central FAX Number and Updated Lists of Exceptions to the Centralized Delivery and Facsimile Transmission Policy for Patent Related Correspondence," 1296 OG 76, July 12, 2005.

**NOTE:** Applicant may correct any informalities in the drawings made by the Draftsman's objections on PTO-948 by filing new drawings with the changes incorporated therein. If the filing of the drawings are delayed until receipt of the "Notice of Allowability" (PTOL-37), the new drawings **MUST** be filed within the **THREE MONTH** shortened statutory period set for response in the "Notice of Allowability" (PTOL-37).

**NOTE:** 37 C.F.R. § 1.85 Corrections to drawings: "(c) If a corrected drawing is required or if a drawing does not comply with § 1.84 at the time an application is allowed, the Office may notify the applicant and set a three month period of time from the mail date of the notice of allowability within which the applicant must file a corrected or formal drawing in compliance with § 1.84 to avoid abandonment. This time period is not extendable under § 1.136(a) or § 1.136(b).

37 C.F.R. § 1.136 Extensions of time: "(c) If an applicant is notified in a "Notice of Allowability" that an application is otherwise in condition for allowance, the following time periods are not extendable if set in the "Notice of Allowability" or in an Office action having a mail date on or after the mail date of the "Notice of Allowability":

...

(2) The period for submitting formal drawings set under § 1.85(c)."

**NOTE:** Corrected drawings, as well as the issue fee, should be addressed to: Box Issue Fee. Notice of November 30, 1990 (1122 O.G. 571 to 591).

**NOTE:** Applicant is required to submit **ACCEPTABLE** corrected drawings within the three month shortened statutory period set in the "Notice of Allowability" (PTOL-37). Within that three month period, two weeks should be allowed for review by the Office of the correction. If a correction is determined to be unacceptable by the Office, applicant must arrange to have an acceptable correction re-submitted within the original three month period to avoid the necessity of obtaining an extension of time and of paying the extension fee. **THEREFORE, APPLICANT SHOULD FILE CORRECTED DRAWINGS AS SOON AS POSSIBLE.** Notice of January 14, 1985 (1051 O.G. 3). See also 37 C.F.R. § 1.85(c).

### **SUBMISSION OF DRAWING(S)**

1. To correct the informalities in the drawings as noted in the Draftsman's objection(s) on PTO-948, applicant submits herewith new drawing(s) for this application. Number of sheets of drawings submitted 14

**NOTE:** "Identification of drawings. Identifying indicia, if provided, should include the title of the invention, inventor's name, and application number, or docket number (if any) if an application number has not been assigned to the application. If this information is provided, it must be placed on the front of each sheet and centered within the top margin." 37 C.F.R. § 1.84(c)).

2. The three month period of response set in the Notice of Allowability (PTOL 37) expires on 8/25/06. This submission is on or before this expiry date.

### **CONDITIONAL EXTENSION OF TERM**

3. ☐ If an extension of term is deemed to be required, please consider this a request therefor, and an authorization to charge for the extension fee as follows:  
☐ Deposit Account No. \_\_\_\_\_  
☐ Credit card as shown on the attached credit card information authorization form PTO-2038.

**WARNING:** Credit card information should **not** be included on this form as it may become public.

(Transmittal of New Drawing(s) to Correct Informalities Within Three Month Period of Response Set in Notice of Allowability (PTOL 37) [5-2.1]—page 2 of 3)



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Tel. No.: (517) 347-4100

Customer No.: 21036

**SIGNATURE OF PRACTITIONER**

Ian C. McLeod

*(type or print name of practitioner)*

McLEOD & MOYNE, P.C.  
2190 Commons Parkway

**P.O. Address**

Okemos, Michigan 48864

(Transmittal of New Drawing(s) to Correct Informalities Within Three Month Period of Response  
Set in Notice of Allowability (PTOL 37) [5-2.1]—page 3 of 3)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NUMBER 10/698921	FILING/RECEIPT DATE 10/31/2003	FIRST NAMES APPLICANT REINHARD, DONNIE K.	ATTORNEY DOCKET NUMBER MSU 4.1-655
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RECEIVED

AUG 19 2006

IAN C. MCLEOD

MCLEOD & MOYNE, P.C.  
2190 COMMONS PARKWAY  
OKEMOS MI 48864

Examiner  
CHEN, BRET  
Art Unit  
1762

Date Mailed: 08/14/2006

Notice Regarding Drawings

Corrected drawings for the above-identified application, received in the USPTO on 10/31/2003, are not acceptable for the reason(s) identified on the attached PTO-948. Applicant is given one opportunity to correct the informalities within a two-month time period from the mailing date of this Notice. **THIS TIME PERIOD IS NOT EXTENDABLE UNDER EITHER 37 CFR 1.136(a) OR 1.136(b).** Failure to take corrective action within the set period will result in abandonment of the application.

ATTACHMENT: PTO-948 Notice of Draftsperson's Patent Review (By *Son Lam*)

RETURN CORRECTED DRAWINGS TO:  
Commissioner for Patents  
Mail Stop: Issue Fees  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

*Booked - let ✓*

*Oct. 14, 2006 - 2nd mo*  
*Feb. 14, 2007 - 6th mo.*

BEST AVAILABLE COPY

**NOTICE OF DRAFTSPERSON'S PATENT DRAWING REVIEW**The drawing(s) filed (insert date) 10/31/03 are:

- A. ☐ approved by the Draftsperson under 37 CFR 1.84 or 1.152.  
 B. ☒ objected to by the Draftsperson under 37 CFR 1.84 or 1.152 for the reasons indicated below. Corrected drawings are required.

**1. DRAWINGS.** 37 CFR 1.84(a): Acceptable categories of drawings: Black ink or Color (3 sets required).

☐ Color drawings are not acceptable until petition is granted. Fig(s) \_\_\_\_\_  
☐ Pencil and non black ink not permitted. Fig(s) \_\_\_\_\_

**2. PHOTOGRAPHS.** 37 CFR 1.84(b)  
☐ One (1) full-tone set is required. Fig(s) \_\_\_\_\_  
☐ Photographs may not be mounted. 37 CFR 1.84(e)  
☐ Photographs must meet paper size requirements of 37 CFR 1.84(f). Fig(s) \_\_\_\_\_  
☐ Poor quality (half-tone). Fig(s) \_\_\_\_\_

**3. TYPE OF PAPER.** 37 CFR 1.84(e)  
☐ Paper not flexible, strong, white, and durable. Fig(s) \_\_\_\_\_  
☐ Erasures, alterations, overwritings, interlineations, folds, copy machine marks not accepted. Fig(s) \_\_\_\_\_

**4. SIZE OF PAPER.** 37 CFR 1.84(f): Acceptable sizes:  
 21.0 cm by 29.7 cm (DIN size A4) or  
 21.6 cm by 27.9 cm (8 1/2 x 11 inches)  
☐ All drawing sheets not the same size. Sheet(s) \_\_\_\_\_  
☐ Drawings sheets not an acceptable size. Fig(s) \_\_\_\_\_

**5. MARGINS.** 37 CFR 1.84(g): Acceptable margins:  
 Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm  
☐ Margins not acceptable. Fig(s) \_\_\_\_\_  
☐ Top (T) ☐ Left (L)  
☐ Right (R) ☐ Bottom (B)

**6. VIEWS.** 37 CFR 1.84(h)  
 REMINDER: Specification may require revision to correspond to drawing changes, e.g., if Fig. 1 is changed to Fig. 1A, Fig. 1B and Fig. 1C, etc., the specification, at the Brief Description of the Drawings, must likewise be changed.

☐ Views not labeled separately or properly. Fig(s) \_\_\_\_\_

**7. SECTIONAL VIEWS.** 37 CFR 1.84(h)(3)  
☐ Sectional designation should be noted with Arabic or Roman numbers. Fig(s) \_\_\_\_\_

**8. ARRANGEMENT OF VIEWS.** 37 CFR 1.84(i)  
☐ Words do not appear on a horizontal, left-to-right fashion when page is either upright or turned so that the top becomes the right side, except for graphs. Fig(s) \_\_\_\_\_

**9. SCALE.** 37 CFR 1.84(k)  
☐ Scale not large enough to show mechanism without crowding when drawing is reduced in size to two-thirds in reproduction. Fig(s) \_\_\_\_\_

**10. CHARACTER OF LINES, NUMBERS, & LETTERS.** 37 CFR 1.84(l)

☒ Lines, numbers & letters not uniformly thick and well defined, clean, durable, and black (poor line quality). Fig(s) 1-14 (POOR QUALITY PHOTOS,

**11. SHADING.** 37 CFR 1.84(m)

☐ Solid black areas pale. Fig(s) \_\_\_\_\_  
☐ Solid black shading not permitted. Fig(s) \_\_\_\_\_

**12. NUMBERS, LETTERS, & REFERENCE CHARACTERS.** 37 CFR 1.84(p)

☐ Numbers and reference characters not plain and legible. Fig(s) \_\_\_\_\_  
☐ Figure legends are poor. Fig(s) \_\_\_\_\_  
☐ Numbers and reference characters not oriented in the same direction as the view. 37 CFR 1.84(p)(1) Fig(s) \_\_\_\_\_  
☐ English alphabet not used. 37 CFR 1.84(p)(2) Fig(s) \_\_\_\_\_

☐ Numbers, letters and reference characters must be at least 32 cm (1/8 inch) in height. 37 CFR 1.84(p)(3). Fig(s) \_\_\_\_\_

**13. LEAD LINES.** 37 CFR 1.84(q)

☐ Lead lines missing. Fig(s) \_\_\_\_\_

**14. NUMBERING OF SHEETS OF DRAWINGS.** 37 CFR 1.84(t)

☐ Sheets not numbered consecutively, and in Arabic numbers beginning with number 1. Sheet(s) \_\_\_\_\_

**15. NUMBERING OF VIEWS.** 37 CFR 1.84(u)  
☐ Views not numbered consecutively, and in Arabic numerals, beginning with number 1. Fig(s) \_\_\_\_\_

**16. DESIGN DRAWINGS.** 37 CFR 1.152

☐ Surface shading shown not appropriate. Fig(s) \_\_\_\_\_  
☐ Solid black surface shading is not permitted except when used to represent the color black as well as color contrast. Fig(s) \_\_\_\_\_

**COMMENTS:**Reviewer SON LAMDate 08/14/06If you have questions, call (703) ~~305-8404~~305-0333 (EXT. 133)

Attachment to Paper No. \_\_\_\_\_